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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,078	07/02/2001	Chikako Tsuchiyama	ASA-1012	9093
24956	7590	01/31/2006	EXAMINER	
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314			SHIFERAW, ELEN I A	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/895,078		TSUCHIYAMA ET AL.	
	Examiner		Art Unit	
	Eleni A. Shiferaw		2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/18/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-32 is/are pending in the application.
- 4a) Of the above claim(s) 1-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/18/2005 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 26-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Downs et al. (US 6,226,618 B1).

Regarding claims 26, 29, and 32, Downs et al. teaches a method/apparatus/medium comprising:

a receiving unit (*end-user device*) for receiving an image mark (*watermarked content/image*) symbolically expressing a content of data embedded in the image mark by means of electronic watermark techniques (col. 7 lines 40-65; *end-user receiving unit receiving data embedded content: data i.e. usage, license conditions, date, and any pertinent information...*),

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the data including information that is desired to be disclosed by an information exhibitor (col. 6 lines 37-48; *user desired contents like pictures, movies, videos, music programs, multimedia, games...*), information as to an expiration term to be used to control display of said information that is desired to be disclosed (col. 24 lines 65-col. 25 lines 36; *expiration date of the content*), and information as to electronic signature to be used to conduct verification of authenticity of both said information that is desired to be disclosed and said information as to the expiration term (col. 24 lines 65-col. 25 lines 36; *signing content, expiration date and ...using private key*);

a storage unit storing a public key for decoding said information as to electronic signature (col. 34 lines 33-42, and col. 12 lines 37-44; *stored public key to verify digital signature and the well-known content control using digital signature, watermarking, certificate...*);

a display unit for displaying information (col. 33 lines 64-68; *end-user device displaying content URLs/HTMLs/web pages*); and

a control unit for extracting the data embedded in the image mark (col. 82 lines 8-9; *extracting embedded watermarking data*),

decoding the information as to electronic signature of the data extracted by using the public key stored in said storage unit (col. 32 lines 43-48, col. 44 lines 9-12, and col. 13 lines 67-col. 14 lines 27; *decoding extracted signature public key stored*),

verifying authenticity of both said information that is desired to be disclosed and said information as to the expiration term by using the information as to electronic signature thus decoded (col. 34 lines 39-41, col. 40 lines 65-68, col. 14 lines 38-45, and col. 44 lines 6-41; *verifying content and expiration date of the content*),

comparing the information as to the expiration term with information as to a clock of said data terminal (col. 14 lines 19-27, col. 34 lines 55-col. 35, and col. 40 lines 65-68; *authenticating and verifying using expiration date of the content*),

displaying said image mark (*watermarked/embedded content*) on the display of said data terminal if a current time obtained from said information as to the clock falls within said expiration term represented by said information as to the expiration term (col. 21 lines 43-58 and col. 59 lines 55-59; *usage condition/expiration date/term of content is verified first before rendering the desired watermarked content*), and

displaying said information that is desired to be disclosed on the display of said data terminal by selecting said image mark (*watermarked content*) displayed on the display (col. 73 lines 13-19 and col. 26 lines 35-67; *selecting the desired link of the displayed watermarked content, URL metadata (data related to content) is included in the watermarked content and URL metadata further includes HTML pages for further content information*).

Regarding claims 27 and 30, Downs et al. teaches the data display method/apparatus wherein, if it is judged that the authenticity is lower than a predetermined level in said step of verifying authenticity, said image mark is not displayed on this display (col. 16 decryption process of fig. 4 element 416, col. 21 lines 54-58, col. 33 lines 43-col. 34 lines 50, and col. 19 lines 66-col. 20 lines 49).

Regarding claims 28 and 31, Downs et al. teaches the data display method/apparatus wherein said information that is desired to be disclosed includes information as to a location at which

detailed information of said data embedded in said image mark exists (col. 75 lines 50-col. 77 lines 23, col. 21 lines 54-57, and col. 79 lines 11-41).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,122,403 Rhoads: *discloses image marking technique or embedding URL into image, and digital signature.*

WO 99/59283 DE BOOR: *discloses banner advertisement method and secure content display system. Contents are not displayed unless the verification of the content clock information matches with the terminal clock using digital watermarking method.*

US 6,108,703 Leighton et al.: *discloses embedding HTML pages in content.*

Pub. No.: US 2005/0283610 A1 Serret-Avila et al.: *teaches protecting data using digital signature and watermarking techniques.*

See from PTO 892 for more references.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A. Shiferaw whose telephone number is 571-272-3867. The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E.S.

January 26, 2006

CEL
Primary Examiner
AV231
1/26/06